

HOUSE BILL 226

L2, E4

0lr1468
CF SB 173

By: **Delegate Anderson (By Request – Baltimore City Administration) and
Delegate McHale**

Introduced and read first time: January 22, 2010

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2010

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Police Department Death Relief Fund – Procedures and**
3 **Benefit Amount**

4 FOR the purpose of altering the amount of benefit payable from the Baltimore City
5 Police Department Death Relief Fund because of the death of an officer or
6 civilian employee under certain circumstances; changing certain references to
7 the rank of “captain” to be references to the rank of “deputy major”; ~~requiring a~~
8 ~~certain oath of office taken by a certain trustee to be administered by the Police~~
9 ~~Commissioner of Baltimore City or the Police Commissioner’s designee and~~
10 ~~requiring the oath to be filed in the Police Commissioner’s office~~; repealing a
11 requirement that copies of a certain report of the board of trustees of the Fund
12 be submitted for posting at certain facilities; requiring a certain report of the
13 board of trustees of the Fund to be provided to all members of the board by
14 electronic mail; requiring the board of trustees of the Fund to post copies of a
15 certain report on the Baltimore City Police Department’s Intranet; and
16 generally relating to the Baltimore City Police Department Death Relief Fund.

17 BY repealing and reenacting, without amendments,
18 Article 24 – Political Subdivisions – Miscellaneous Provisions
19 Section 16–101
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2009 Supplement)

22 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article 24 – Political Subdivisions – Miscellaneous Provisions
 2 Section 16–103(a), 16–105(a)(1) ~~and (d)~~, and 16–106(d)
 3 Annotated Code of Maryland
 4 (2005 Replacement Volume and 2009 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

8 16–101.

9 There is hereby established, as an instrumentality of the State, the Baltimore
 10 City Police Department Death Relief Fund, which shall be the successor of the relief
 11 fund heretofore administered by the Police Commissioner of Baltimore City.

12 16–103.

13 (a) The amount of benefit payable on account of the death of an officer or a
 14 civilian employee whose death is proximately caused by injuries sustained or by harm
 15 inflicted upon the body in the course of the performance of their duty shall be ~~[\$5,000]~~
 16 **\$10,000** or such greater amount as may be prospectively and uniformly established by
 17 resolution adopted by the board. The amount of benefit payable on account of the
 18 death of an officer or a civilian employee whose death is not proximately caused by
 19 injuries sustained or by harm inflicted upon the body in the course of the performance
 20 of their duty shall be \$500 or such greater amount as may be prospectively and
 21 uniformly established by resolution adopted by the board. The benefits under this title
 22 shall be in addition to all other benefits provided by law or by voluntary action of any
 23 person or persons.

24 16–105.

25 (a) (1) The board of trustees shall consist of nine members; one member of
 26 the rank of major or higher, one ~~[captain]~~ **DEPUTY MAJOR**, one lieutenant, one
 27 sergeant, three patrolmen, one civilian employee of the Department, and the Director
 28 of Fiscal Affairs Division. With the exception of the Director of Fiscal Affairs, members
 29 of the board of trustees shall be elected at large, and shall serve a term of 4 years.
 30 Elections will be held biannually with the terms of the major or higher rank, sergeant
 31 and two patrolmen terminating at alternate 2–year periods with those of the ~~[captain]~~
 32 **DEPUTY MAJOR**, lieutenant, one patrolman and civilian representative. The first
 33 election will be held during the year of enactment of this title, at which time the
 34 ~~[captain]~~ **DEPUTY MAJOR**, lieutenant, and one patrolman (the patrolman member of
 35 the board of trustees having held office the longest period of time will stand for
 36 election) and the civilian member will be elected.

37 ~~(d) Each trustee, within 10 days after the commencement of the trustee's~~
 38 ~~term, shall take an oath of office that the trustee will diligently and faithfully perform~~

1 ~~the duties of trustee in accordance with law. Such oath shall be administered by the~~
 2 ~~[Clerk of the Circuit Court for] POLICE COMMISSIONER OF Baltimore City, OR THE~~
 3 ~~POLICE COMMISSIONER'S DESIGNEE, subscribed by the member making it, and~~
 4 ~~filed in [said Clerk's] THE POLICE COMMISSIONER'S office.~~

5 16-106.

6 (d) The accounts of the Fund shall be regularly audited by the Legislative
 7 Auditor, and from time to time by such independent certified public accountant that
 8 the board of trustees may engage. On or before May 1 in each year, the board of
 9 trustees shall publish annually a report including the fiscal transactions of the Fund
 10 for the year ending the preceding December 31, and a detailed balance sheet as of the
 11 said preceding December 31. The board shall [submit copies of said report for posting
 12 at all the headquarters and all other buildings, facilities, and installations of the
 13 Department] **PROVIDE COPIES OF THE REPORT TO ALL MEMBERS OF THE BOARD**
 14 **BY ELECTRONIC MAIL, POST COPIES OF THE REPORT ON THE BALTIMORE CITY**
 15 **POLICE DEPARTMENT'S INTRANET**, and [shall] file with its own records one or
 16 more copies, which shall be made available to any officer or civilian employee of the
 17 Department or potential beneficiary of any deceased officer or civilian employee
 18 wishing to inspect the same.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 20 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.